

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.104 of 2024

Arising Out of PS. Case No.-118 Year-2020 Thana- PATNA CITY CHOWK District- Patna

XXX Son of Sri Pappu Prasad, Resident of Bari Nagla, P.S.-Malsalami,
District-Patna, through his father and natural guardian Sri Pappu Prasad

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Petitioner/s	:	Mr. Rudal Singh, Advocate Mr. Pramod Kumar, Advocate
For the Respondent/s	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. By filing this application petitioner has challenged the order dated 30.11.2023 passed by learned Special Judge (Children Court), Patna in Special (Child) Case No. 17 of 2021 whereby and whereunder the prayer of the petitioner for grant of bail has been refused. The petitioner has got criminal antecedent of six cases.

3. As per the prosecution story, on 13.03.2020 while the informant's husband was sitting at his jewelry shop, at about 5:00 pm six boys came there on motorcycle and killed her husband by use of fire-arm. When the informant got information she reached there and found that her husband had fallen on



counter of the shop, thereafter she along with her family members brought her husband to N.M.C.H.

4. Learned counsel for the petitioner submits that the petitioner is in custody in connection with this case since 21.07.2020 and at this stage, only six prosecution witnesses have been examined. It is submitted that the learned trial court has refused to enlarge the petitioner on bail on the ground that if he is released, the witnesses are likely to be influenced and further that he is likely to come in contact with the people having criminal antecedents.

5. It is submitted that since there is a likelihood of delay in conclusion of trial, the prayer for bail of the petitioner be considered.

6. Learned APP for the State submits that from the impugned order it would appear that CCTV footage of the shop in which murder took place has been placed before the learned trial court and it is likely to be a very important piece of evidence which would be exhibited through the I.O. of the case. It is submitted that now the case is fixed for evidence of the I.O., therefore considering the kind of criminal antecedent of the petitioner, who is involved in six other cases of serious nature, he does not deserve privilege of bail.



7. Having regard to the submissions noted hereinabove, on finding that the reason shown for rejection by the learned trial court are good and cogent reasons, the case is at the end stage of trial and the evidence of I.O. is to be recorded, at this stage, this Court is not inclined to interfere with the order of the learned trial court.

8. The learned trial court is directed to conclude the trial as early as possible and preferably within a period of six months.

9. This Court has been informed that the I.O is not attending the trial court for evidence for last three dates. If it is so, let a copy of the order be sent to the Senior Superintendent of Police, Patna to issue appropriate direction to the concerned I.O. after getting complete information about him to attend the trial on the next date failing which appropriate action be taken against him for not cooperating in the trial.

10. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rishi/-

U		T	
---	--	---	--

